



Zoning Resolution

THE CITY OF NEW YORK

Eric Adams, Mayor

CITY PLANNING COMMISSION

Daniel R. Garodnick, Chair

124-10 - SPECIAL USE REGULATIONS

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124-10 - SPECIAL USE REGULATIONS

LAST AMENDED
11/13/2008

The #use# regulations of the underlying district are modified as set forth in this Section, inclusive.

124-11 - Regulation of Residential Uses

LAST AMENDED
11/13/2008

124-111 - Location of residential use within buildings

LAST AMENDED
2/2/2011

The provisions of Section [32-422](#) (Location of floors occupied by commercial uses) shall be modified to permit #dwelling units# on the same #story# as a #commercial# #use# provided no access exists between such #uses# at any level containing #dwelling units# and provided any #commercial# #uses# are not located directly over any #dwelling units#. However, such #commercial# #uses# may be located over #dwelling units# by authorization of the City Planning Commission upon a finding that sufficient separation of #residential uses# from #commercial# #uses# exists within the #building#.

124-112 - Residential entrances on residential streets

LAST AMENDED
11/13/2008

Each ground floor #dwelling unit# on a #residential street# shall be directly accessible from such #residential street#. No more than one entrance to a #residential street# shall be required for any one ground floor #dwelling unit#.

124-12 - Regulation of Commercial Uses in Area B

LAST AMENDED
11/13/2008

- (a) Within Area B, as shown on Map 1 in the Appendix to this Chapter, #commercial# and special permit #uses# shall be limited to those #uses# permitted in a C1-4 District, provided that #commercial# #uses# shall be located no more than 100 feet from a #connector street#, the present or former 34th Avenue or Willets Point Boulevard, or Area A, as shown on Map 1 in the Appendix to this Chapter.
 - (b) Within Area B, #uses# permitted in the underlying district shall be permitted within an area east and south of the present or former Willets Point Boulevard and contiguous with Area A, provided that such area shall be limited to 115,000 square feet in land area.
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124-13 - Uses Permitted As-of-Right

LAST AMENDED
11/13/2008

The following special permits shall not apply. In lieu thereof, such #uses# shall be permitted as-of-right:

- Section [74-41](#) (Arenas, Auditoriums, Stadiums or Trade Expositions) shall not apply for trade expositions with a capacity in excess of 2,500 persons, provided that the facility has a #floor area# of no more than 400,000 square feet;
- Section [73-482](#) (In Commercial or Manufacturing Districts) shall not apply for group parking facilities exceeding 225 spaces, provided such facilities comply with the regulations set forth in Section [124-50](#) (OFF-STREET PARKING REGULATIONS), inclusive.

In #buildings# with frontage on 126th Street, the following special permits shall not apply. In lieu thereof, such uses shall be permitted as-of-right:

- Section [73-244](#) (In C2, C3, C4*, C6-4**, M1-5A, M1-5B, M1-5M and M1-6M Districts, the Special Hudson Square District and the Special Tribeca Mixed Use District) shall not apply for eating and drinking establishments with a capacity of more than 200 persons, which shall be permitted as-of-right within 100 feet of a #Residence District# boundary
- Section [73-35](#) (Amusement Arcades)
- Section [74-46](#) (Indoor Interactive Entertainment Facilities)
- Section [74-47](#) (Amusement Arcades)

124-14 - Retail Continuity

LAST AMENDED
5/12/2021

The following regulations shall apply within Area A, as shown on Map 1 in the Appendix to this Chapter, to all portions of #buildings# with frontage on 126th Street, the #primary retail street#, #retail streets#, #connector streets# and, in the event that a utility easement is retained on the #block# bounded by Roosevelt Avenue and 126th Street, along the frontage of the publicly accessible open space required by paragraph (d) of Section [124-42](#).

(a) Ground floor #uses#

#Uses# within #stories# on the ground floor or with a floor level within five feet of the #base plane# shall be limited to #commercial# #uses# permitted by the underlying district, except #uses# listed in Use Groups 6B, 6E, 8C, 8D, 9B, 10B or 12D. A #building's# frontage shall be allocated exclusively to such #uses#, except for Type 2 lobby space or entryways, provided in accordance with Section [37-33](#) (Maximum Width of Certain Uses), parking pursuant to Section [124-50](#), inclusive, and vehicular access pursuant to Section [124-53](#) (Curb Cut Restrictions). Such #uses# shall have a minimum depth of 50 feet measured from any #street wall# facing 126th Street, the #primary retail street# or #connector streets#.

(b) Maximum length of establishments facing 126th Street and the #primary retail street#

The length of ground floor frontage occupied by any establishment shall not exceed 110 feet along 126th Street and 65 feet along the #primary retail street#. Such maximum lengths shall apply within 50 feet of any #street wall# facing 126th Street and the #primary retail street#. However, the provisions of this paragraph, (b), shall not apply within 300 feet of Northern Boulevard.

(c) Access

Access to each ground floor establishment shall be provided directly from a #street#.

(d) Transparency

For any #building#, or portion thereof, #developed# or #enlarged# after November 13, 2008, each ground floor #street wall# shall be glazed in accordance with Section [37-34](#) (Minimum Transparency Requirements).

124-15 - Modification of Sign Regulations

LAST AMENDED

5/12/2021

The underlying #sign# regulations shall apply, except as set forth in this Section.

- (a) Within Area A, as shown on Map 1 in the Appendix to this Chapter, the #sign# regulations of a C4 District shall apply, except for #street walls# facing Roosevelt Avenue, Northern Boulevard and 126th Street.
- (b) Within Area B, as shown on Map 1, the #sign# regulations of a C1 District shall apply, except that within the area described in paragraph (b) of Section [124-12](#), the sign regulations of a C4 District shall apply.
- (c) Within Area A, for #street walls# facing Roosevelt Avenue or Northern Boulevard, the #sign# regulations of a C4 District shall apply, except that #signs# shall be limited to 85 feet in height.
- (d) For #street walls# facing 126th Street to a height of 35 feet, the #sign# regulations of a C4 District shall apply, provided that the maximum projection of any #sign# from the exterior wall of a #building# shall be four feet, and the transparency requirements of paragraph (d) of Section [124-14](#) are met.
- (e) For #street walls# facing 126th Street above 35 feet in height, the #sign# regulations of a C4 District shall apply except that all permitted #signs#, including #illuminated signs# and #flashing signs#, shall be permitted without limitation on #surface area#, provided that:
 - (1) no such #signs# are higher than 85 feet;
 - (2) the maximum projection of any #sign# from the exterior wall of a #building# shall be four feet, except that projections not exceeding six feet are permitted, provided that such projections beyond four feet shall comprise not more than 20 percent of the #surface area# of all such #signs# on the establishment; and
 - (3) no #sign# attached to a #building or other structure# shall extend above any parapet wall or roof of such #building or other structure#.
- (f) Within 150 feet of the neighborhood park required pursuant to Section [124-42](#) (Types and Standards of Publicly Accessible Open Space), paragraph (a), #flashing signs# whose message is visible from such park shall not be permitted.
- (g) The provisions of Section [32-67](#) (Special Provisions Applying Along District Boundaries) shall not apply in the #Special Willets Point District#.

124-16 - Authorization for Electrical Utility Substations

LAST AMENDED

11/13/2008

The City Planning Commission may authorize electrical utility substations in the "#Special Willets Point District" in accordance

The City Planning Commission may authorize electrical utility substations in the #Special Willets Point District# in order to serve the needs of the Special District, and the regulations thereof shall be modified as necessary to accommodate the operational needs of the substation, upon authorization of the City Planning Commission, provided the Commission finds that:

- (a) the architectural and landscaping treatment of such #use# shall blend harmoniously with the abutting area to the extent reasonably permitted by the operational needs of the substation; and
- (b) if the site proposed for such #use# is within Area A, as shown on Map 1 in the Appendix to this Chapter, that there are difficulties in locating such #use# within Area B, as shown on Map 1.

The Commission may, consistent with cost-effective operations and capital planning, and the operational needs of the substation, prescribe appropriate conditions and safeguards on matters necessary to effectuate the provisions of paragraph (a) of this Section that are not regulated by other applicable codes, laws, rules or regulations. The applicant shall provide the Department of City Planning with a general description of such codes, laws, rules or regulations and a certification that the proposed substation shall comply therewith.

124-17 - Special Permit for Cogeneration Power Plant

LAST AMENDED

2/2/2011

The Board of Standards and Appeals may permit a combined heat and power cogeneration plant not to exceed 100,000 square feet in #floor area#, provided that:

- (a) the power plant is designed to maximize both electric and thermal cogeneration system efficiency to the greatest extent feasible;
- (b) a detailed energy analysis is submitted to the Board demonstrating that the system as designed shall operate with maximum efficiency and perform more effectively than a traditional, power-purchased-from-grid system; and
- (c) the power plant is designed primarily to serve the #Special Willets Point District#.

In addition, the Board shall refer such application to the Department of Environmental Protection for a report to ensure that the power plant is designed to maximize cogeneration efficiency to the greatest extent feasible and that the system as designed shall operate with maximum efficiency and perform more effectively than a traditional, power-purchased-from-grid system.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area including safety devices, emissions limits and the concealment of such #use# with #building# enclosures, landscaping, buffer zones or other methods.

124-18 - Special Permit for Wastewater Treatment Plant

LAST AMENDED

2/2/2011

The Board of Standards and Appeals may permit an enclosed membrane bio-reactor wastewater treatment plant not to exceed 100,000 square feet in #floor area# on a site not to exceed 40,000 square feet in area, provided that the following findings are made:

- (a) that in all cases the proposed plant promotes and protects the public health, safety and general welfare;
- (b) the proposed plant shall be adequate for anticipated #development# in the area to be served;

- (c) the proposed plant is designed primarily to serve the #Special Willets Point District#;
- (d) the site for such #use# is so located as to minimize the adverse effects on the integrity of existing and future development, and to minimize the interruption of the continuity of retail frontage;
- (e) the architectural and landscaping treatment of such #use# shall blend harmoniously with the rest of the area; and
- (f) that such #use# shall conform to the performance standards applicable to M1 Districts.

In addition, the Board shall refer such application to the Department of Health and the Department of Environmental Protection for a report to ensure that the site-specific design of the enclosed membrane bio-reactor waste water treatment plant meets all City and State health and effluent standards.

The Board may prescribe appropriate conditions or safeguards to minimize adverse effects on the character of the surrounding area including requirements for soundproofing, safety devices, and the concealment of such #use# with #building# enclosures, landscaping, buffer zones or other methods.

124-19 - Location and Other Requirements for Specific Uses

LAST AMENDED
11/13/2008

124-191 - Convention center

LAST AMENDED
11/13/2008

A trade exposition center, hereinafter referred to as a convention center, is permitted in the #Special Willets Point District# only in accordance with this Section and shall be located on a #connector street#. A convention center may only be located in the area as depicted on Map 2 (Location Requirements for Convention Center, Cinema and Office Tower) in the Appendix to this Chapter, being entirely within 650 feet of Northern Boulevard.

Furthermore, a convention center may not be located within 200 feet of 126th Street, and any portion of a convention center located between 200 feet and 450 feet of 126th Street shall be limited to no more than 50,000 square feet of #floor area#.

Section [124-14](#) (Retail Continuity) shall not be applicable to a convention center. In lieu thereof, the transparency requirements of this Section shall apply to the #street wall# of a convention center facing a #connector street#. Such #street wall# shall be glazed with materials which may include #show windows#, glazed transoms or glazed portions of doors. Such glazed area shall occupy at least 50 percent of the area of such #street wall#, measured to a height of 15 feet above the level of the adjoining sidewalk or public access area. Not less than 40 percent of such area shall be glazed with transparent materials.

The main entrance(s) of such convention center shall be on a #connector street#.

124-192 - Location of theaters

LAST AMENDED
11/13/2008

Theaters comprising over 10,000 square feet in #floor area# shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street, as depicted on Map 2 (Location Requirements for Convention Center, Cinema and Office Tower) in the Appendix to this Chapter.

124-193 - Location of office uses in towers

LAST AMENDED

11/13/2008

Use Group 6B office #uses#, pursuant to Section [32-15](#), located on any #story# entirely above 120 feet in height shall be located entirely within 600 feet of the intersection of Roosevelt Avenue and 126th Street, as depicted on Map 2 (Location Requirements for Convention Center, Cinema and Office Tower) in the Appendix to this Chapter.